

United States District Court
WESTERN DISTRICT OF WASHINGTON

DEVELOPERS SURETY AND INDEMNITY
COMPANY,

v.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: C18-1206RSL

WOODLAND PARK TOWNHOMES, LLC.

— **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

THE COURT HAS ORDERED THAT

DSIC's motion for default judgment is GRANTED IN PART. The Court hereby DECLARES as follows:

1. DSIC is not obligated to defend, nor indemnify against damages, Woodland Park Townhomes LLC in the matter of Woodland Park Townhomes Homeowners Association v. Woodland Park Townhomes, LLC, No. 17-2-24978-5 SEA (King Cty. Sup. Ct.) under Commercial General Liability Policy No. BIS0019539-0 ("the Policy");

2. All the property damage alleged in Woodland Park Townhomes Homeowners Association v. Woodland Park Townhomes, LLC, No. 17-2-24978-5 SEA (King Cty. Sup. Ct.) related to the Townhomes' structures, but not the foundational steel decking and fabrication, occurred after Policy No. BIS0019539-0 expired;

3. All the property damage alleged in Woodland Park Townhomes Homeowners Association v. Woodland Park Townhomes, LLC, No. 17-2-24978-5 SEA (King Cty. Sup. Ct.) occurred after Urban Construction Company, LLC completed its operations for Woodland Park;

4. Urban Construction Company, LLC (a) was not an additional insured under its contractors' or subcontractors' commercial general liability ("CGL") policies; (b) failed to obtain certificates of insurance from its contractors or subcontractors; (c) did not obtain hold harmless agreements from its contractors and subcontractors indemnifying it against all loss related to work the contractors or subcontractors performed for Urban Construction Company, LLC; and (d) Urban Construction Company, LLC's contractors' or subcontractors' CGL policies failed to provide insurance in amounts equal to or greater than Policy No. BIS0019539-0;

5. DSIC has no further obligations to Woodland Park Townhomes, LLC under Policy No. BIS0019539-0 regarding Woodland Park Townhomes Homeowners Association v. Woodland Park Townhomes, LLC, No. 17-2-24978-5 SEA (King Cty. Sup. Ct.).

April 22, 2019

William M. McCool
Clerk

/s/Sharita Tolliver
By, Deputy Clerk